

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**  
**May 25, 2010**

**3:30 P.M. SCHEDULED SESSION**

**4:05 P.M. MEETING COMMENCED**

**ROLL CALL:** Joe Brown, William Boyd, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Harold Collins.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Apostle W.A. Sesley from Morning Star church Worldwide Ministries. Councilwoman Halbert presented Apostle Sesley with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

**Approval of the Minutes of the regular meeting of May 11, 2010 with the following motion:**

**MOTION:** Ford  
**SECOND:** Boyd  
**AYES:** Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Strickland and Chairman Collins  
Conrad, Morrison and Ware did not cast a vote

**APPROVED**

1. **RESOLUTION HONORING MEMPHIS STONE AND GRAVEL'S 100 YEAR ANNIVERSARY.**

MOTION: Conrad

SECOND: Boyd

**APPROVED**, by unanimous voice vote

2. **RESOLUTION HONORING LARRY COX FOR 25 YEARS OF SERVICE TO THE MEMPHIS SHELBY COUNTY AIRPORT AUTHORITY.**

MOTION: Flinn

SECOND: Ford

**APPROVED**, by unanimous voice vote

3. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR DR. CLEO CLIFTON KIRK.**

MOTION: Brown

SECOND: Halbert

**APPROVED**, by acclamation

4. **RESOLUTION APPROVING A HOTEL WAIVER FOR AMERICAN INN LOCATED AT 3265 ELVIS PRESLEY BOULEVARD, MEMPHIS, TN 38116. (HELD FROM 5/11)**

Case No. HMW 10-03

MOTION: Ford

SECOND: Halbert

AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert and Chairman Collins

NAY: Fullilove

Hedgepeth, Lowery, Morrison, Strickland and Ware did not cast a vote

**APPROVED**

5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF E. CHELSEA AVENUE; +/-350 FEET WEST OF WALTER STREET, CONTAINING 6.0 ACRES IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. SUP 10-208

Applicant: Tower Ventures V, LLC

Request: Special use permit to allow a cellular communication tower one-hundred twenty (120) feet in height with flush-mount antennae with capacity to accommodate a maximum of four (4) antennae

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Hedgepeth

AYES: Boyd, Brown, Conrad, Ford, Fullilove, Halbert, Lowery, Morrison and Chairman Collins  
Flinn recused  
Hedgepeth, Strickland and Ware did not cast a vote

**APPROVED**

6. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF QUINCE ROAD; +/-350.57 FEET EAST OF KIRBY ROAD, CONTAINING 7.40 ACRES IN THE TOWNHOUSE RESIDENTIAL (R-TH) DISTRICT.**

Case No. SUP 10-209

Applicant: Tower Ventures V, LLC

Request: Special use Permit to allow a cellular communication tower one-hundred sixty (160) feet in height, including a maximum of five (5) flush-mount antennae

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Ford

SECOND: Hedgepeth

AYES: Brown, Conrad, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins

NAY: Boyd  
Flinn recused  
Ware did not cast a vote

**APPROVED**

**CONSENT AGENDA – Items 7 - 19, may be acted upon by one motion: SEE PAGE 1495 FOR ROLL CALL**

7. **ORDINANCE PROHIBITING UNFAIR DISCRIMINATION IN CITY HIRING POLICIES AGAINST PERSONS PREVIOUSLY CONVICTED, UP FOR F I R S T READING.**

Ordinance No. 5363

**APPROVED,** on First reading

8. **ORDINANCE AMENDING CHAPTER 15, SECTION 15-12, CITY OF MEMPHIS CODE OF ORDINANCES, TO INCREASE SOLID WASTE FEES FOR COLLECTION AND DISPOSAL, ADD A CART LEASING OPTION AND REVISE THE DESCRIPTION OF THE RESIDENTIAL AND COMMERCIAL BUSINESS CATEGORIES, UP FOR S E C O N D READING.**

Ordinance No. 5354

**APPROVED,** on Second reading

9. **ORDINANCE AMENDING CHAPTER 15, SECTION 15-7, CITY OF MEMPHIS CODE OF ORDINANCES, TO REVISE LANGUAGE REGARDING CITY ISSUED CARTS AND USE OF PERSONAL CONTAINERS, UP FOR S E C O N D READING.**

Ordinance No. 5355

**APPROVED,** on Second reading

10. **ORDINANCE AMENDING CHAPTER 33, CITY OF MEMPHIS CODE OF ORDINANCES, TO INCREASE SEWER FEES, UP FOR S E C O N D READING.**

Ordinance No. 5356

**APPROVED,** on Second reading

11. **ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, OF THE CODE OF ORDINANCES, SO AS TO ESTABLISH THE CITY OF MEMPHIS MINORITY BUSINESS DEVELOPMENT AND OVERSIGHT COMMISSION, UP FOR S E C O N D READING.**

Ordinance No. 5357

**APPROVED,** on Second reading

12. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF MEMPHIS, SO AS TO INCREASE THE CITY CONTRIBUTION ALLOWABLE UNDER SECTION 25-71 AND SECTION 25-171, UP FOR S E C O N D READING.**

Ordinance No. 5358

**APPROVED,** on Second reading

13. **ORDINANCE TO INCREASE PENSION BENEFITS ALLOWABLE UNDER SECTION 25-95 AND SECTION 25-195, UP FOR S E C O N D READING.**

Ordinance No. 5359

**APPROVED,** on Second reading

14. **ORDINANCE ESTABLISHING THE FISCAL YEAR 2011 OPERATING BUDGET FOR THE CITY OF MEMPHIS, UP FOR S E C O N D READING.**

Ordinance No.5360

**Ordinance** to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2010, through June 30, 2011.

**APPROVED**, on Second reading

15. **ORDINANCE FIXING THE TAX RATE OF THE CITY OF MEMPHIS FOR FISCAL YEAR 2011, UP FOR S E C O N D READING.**

Ordinance No. 5361

**APPROVED**, on Second reading

16. **ORDINANCE TO AMEND PREVIOUS ORDINANCE 4388, CODIFIED AS CITY CODE, TITLE 6, ARTICLE 6, SECTION 2-331(A), TO EXTEND THE SUNSET CLAUSE SET FORTH THEREIN UNTIL DECEMBER 31, 2010, UP FOR S E C O N D READING.**

Ordinance No. 5362

**APPROVED**, on Second reading

17. **RESOLUTION APPROVING FINAL PLAT OF KATE BOND MIDDLE SCHOOL.**

Contract No. CR-5160

Resolution approves the final plat located on the west side of Kate Bond Road at Deerfield Trace. Cost of the required improvements to be borne by the Agency and the Contractor. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends approval

**APPROVED**

18. **RESOLUTION ACCEPTING GRACE ST. LUKES SCHOOL P.D. AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 08-319  
(Contract No. CR-5738)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on east side of LeMaster Street, between Linden and Peabody Avenue. The standard improvement contract was approved on May 5, 2009. Resolution also authorizes the release of the performance bond in the amount of \$69,500.00.

City Engineer recommends approval

**APPROVED**

19. **RESOLUTION CANCELING THE STANDARD IMPROVEMENT CONTRACT FOR KANSAS STREET IMPROVEMENTS AND AUTHORIZING RELEASE OF BOND.**  
(Contract No. CR-5073)

Resolution cancels the improvements and the dedication of public streets and easements as shown on the final plat located between Georgia Avenue and Carolina Avenue. The standard improvement contract was approved on May 15, 2007. Resolution also authorizes the release of the Letter of Credit (No. 925) in the amount of \$100,600.00.

City Engineer recommends approval

**APPROVED****ROLL CALL CONSENT ITEMS**

MOTION: Ford  
SECOND: Flinn  
AYES: Boyd, Brown, Flinn, Ford, Halbert, Hedgepeth, Lowery and Strickland  
Conrad, Fullilove, Morrison, Ware and Chairman Collins did not cast a vote

**APPROVED****MLGW FISCAL CONSENT – Items 20 - 28, may be acted upon by one motion:**

20. **RESOLUTION AWARDED CONTRACT NO. 11331, CREDIT INFORMATION SERVICES, TO EXPERIAN INFORMATION SOLUTIONS IN THE FUNDED AMOUNT OF \$250,000.00.**

**APPROVED**

21. **RESOLUTION AWARDED CONTRACT NO. 11385, GAS LEAK SURVEY, TO SURVEYS & ANALYSIS, INC. IN THE FUNDED AMOUNT OF \$468,457.75.**

**APPROVED**

22. **RESOLUTION AWARDED CONTRACT NO. 11399, RIGHT-OF-WAY MOWING, TO SOUTHERN SPRAY COMPANY IN THE FUNDED AMOUNT OF \$196,800.00.**

**APPROVED**

23. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11213, METER DATA MANAGEMENT SYSTEM, WITH ITRON, INC. IN THE FUNDED AMOUNT OF \$200,000.00. (THIS CHANGE COVERS MAINTENANCE AND SUPPORT OVER A**

**FIVE-YEAR TERM, OCTOBER 1, 2009 TO SEPTEMBER 30, 2014, WITH A 6% SAVINGS).**

**APPROVED**

24. **RESOLUTION AWARDING CONTRACT FOR ONE CAB AND CHASSIS TO DOBBS FORD, INC. IN THE AMOUNT OF \$28,672.00.**

**APPROVED**

25. **RESOLUTION AWARDING CONTRACT FOR THREE UNDERGROUND MANHOLE SUPPORT TRAILERS TO TEAM FENEX, DIVISION OF LEGGETT AND PLATT, IN THE AMOUNT OF \$147,575.85.**

**APPROVED**

26. **RESOLUTION AWARDING 48-MONTH CONTRACT FOR THE RENTAL OF TWO DIGITAL BLACK AND WHITE COPIER/PRINTER SYSTEMS TO IKON OFFICE SOLUTIONS, INC. IN THE AMOUNT OF \$729,347.04.**

**APPROVED**

27. **RESOLUTION APPROVING PAYMENT OF 2010 ANNUAL MEMBERSHIP DUES TO AMERICAN PUBLIC POWER ASSOCIATION IN THE AMOUNT OF \$99,098.67.**

**APPROVED**

28. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11248, PROPERTY AND BOILER INSURANCE, WITH FM GLOBAL IN THE FUNDED AMOUNT OF \$1,080,894.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE FIRST OF FOUR RENEWAL TERMS, JUNE 1, 2010 TO MAY 31, 2011, WITH NO INCREASE IN RATES).**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Fullilove  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Brown and Ware did not cast a vote

**APPROVED**

29. **ORDINANCE TO AMEND CABLE FRANCHISE ORDINANCE NO. 4159, EXTENDING THE FRANCHISE ORDINANCE AS AMENDED, UP FOR T H I R D AND F I N A L READING. (HELD FROM 12/1; 12/15; 1/26; 2/23; 3/23)**

Ordinance No. 5331

Held until July 20, 2010

30. **ORDINANCE TO AMEND CHAPTER 15, TO REGULATE DISPOSAL OF ITEMS BY PROPERTY OWNERS THAT DO NOT PAY SOLID WASTE DISPOSAL FEES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5353

MOTION: Boyd  
SECOND: Hedgepeth  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Ware did not cast a vote

**APPROVED**

31. **RESOLUTION ALLOWING UP TO 18% OF PROJECT BUDGETS TO BE ALLOCATED FOR THE URBAN ART COMMISSION'S PROJECT MANAGEMENT DUTIES UNDER THE PERCENT-FOR-ART PROGRAM.**

MOTION: Flinn  
SECOND: Ford  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Fullilove, Halbert and Ware did not cast a vote

**APPROVED**

32. **RESOLUTION APPROPRIATING \$728,906.00 IN GENERAL OBLIGATION BONDS FROM THE FISCAL YEAR 2010 CIP BUDGET TO PURCHASE ONE (1) AERIAL TRUCK FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$728,906.00.**

MOTION: Lowery  
SECOND: Boyd  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Fullilove and Ware did not cast a vote

**APPROVED**



33. **RESOLUTION APPROPRIATING \$1,484,208.00 IN GENERAL OBLIGATION BONDS FROM THE FISCAL YEAR 2010 CIP BUDGET TO PURCHASE THREE (3) PUMPERS FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$1,484,208.00.**

MOTION: Lowery  
SECOND: Brown  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Lowery, Morrison, Strickland and Chairman Collins  
Fullilove, Hedgepeth and Ware did not cast a vote

**APPROVED**

34. **RESOLUTION APPROPRIATING \$500,000.00 (\$400,000.00 IN STATE GRANT FUNDS) FOR THE CONSTRUCTION OF PARKWAYS MAINTENANCE/RENOVATION, CIP PROJECT NUMBER PK12001, CHARGEABLE TO THE FY2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Fullilove and Ware did not cast a vote

**APPROVED**

35. **RESOLUTION APPROPRIATING \$264,000.00 IN CONTRACT CONSTRUCTION FOR CIP PROJECT NUMBER PK08001, LICHTERMAN NATURE CENTER, CHARGEABLE TO THE FY2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Brown  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Fullilove and Ware did not cast a vote

**APPROVED**

36. **RESOLUTION APPROPRIATING \$240,000.00 IN CONTRACT CONSTRUCTION FOR CIP PROJECT NUMBER PK06004, GOLF COURSE PARKING LOT PAVING, CHARGEABLE TO THE FY2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Morrison  
AYES: Boyd, Brown, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins

NAY: Conrad  
Fullilove and Ware did not cast a vote

**APPROVED**

37. **RESOLUTION APPROPRIATING \$350,000.00 IN CONTRACT CONSTRUCTION FOR CIP PROJECT NUMBER PK05001, BALLFIELD RENOVATIONS, CHARGEABLE TO THE FY2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Fullilove and Ware did not cast a vote

**APPROVED**

38. **RESOLUTION REQUESTING APPROVAL FOR CONTINUATION OF PLANS AND SPECIFICATIONS FOR THE TAKING OF BIDS AT AN ESTIMATED CONSTRUCTION COST OF \$330,000.00 FOR EMERGENCY STORM REPAIR AT DOUGLASS POOL HOUSE LOCATED AT 1616 ASH.**

MOTION: Brown  
SECOND: Fullilove  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Ware did not cast a vote

**APPROVED**

39. **RESOLUTION APPROPRIATING \$10,538,315.00 IN CONTRACT CONSTRUCTION FOR CIP PROJECT NUMBER GA01002, BEALE STREET LANDING, FOR THE PURPOSE OF AWARDED A CONSTRUCTION CONTRACT TO WEBB BUILDING CORPORATION.**

Chairman Collins recognized the following people who spoke from the audience:

Jeanne C. Arthur, 2975 Garden Way, Memphis, TN. 38111  
Pastor Jesse Briggs, 1391 E. Island Pl., Memphis, TN. 38103  
Michael Cromer, 985 Forrest Ave., Memphis, TN. 38105  
Reid Dulberger, 22 N. Front St., Memphis, TN. 38103  
Brack Henderson, 1210 Mary Jane Avenue, Memphis, TN. 38116  
Captain William Lozier, 3651 Carrington Rd., Memphis, TN. 38111  
Virginia McLean, 3838 Poplar, Memphis, TN. 38111  
Roby S. Williams, 160 Island Place, Memphis, TN. 38103

MOTION: Flinn  
SECOND: Fullilove  
AYES: Boyd, Brown, Ford, Fullilove, Lowery, Morrison, Strickland and Chairman Collins  
NAYS: Conrad, Flinn and Hedgepeth  
Halbert abstained  
Ware did not cast a vote

**APPROVED**

40. **RESOLUTION APPROPRIATING \$62,665.00 FOR FURNITURE, FIXTURES AND EQUIPMENT FOR THE MOTOR VEHICLE INSPECTION BUREAU, CIP PROJECT NUMBER PS01009 AS PART OF THE FY10 CAPITAL IMPROVEMENT PROGRAM FUNDED BY LOCAL OTHER CIP AND G.O. BONDS.**

MOTION: Boyd  
SECOND: Hedgepeth  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Ware did not cast a vote

**APPROVED**

41. **RESOLUTION APPROVING A LEASE AGREEMENT WITH ELLIOTT AMQUIP, LLC, AS APPROVED BY THE BOARD OF COMMISSIONERS OF THE MEMPHIS AND SHELBY COUNTY PORT COMMISSION ON DECEMBER 16, 2009.**

Contract No. CR-5159

MOTION: Boyd  
SECOND: Hedgepeth  
AYES: Boyd, Brown, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Conrad, Fullilove and Ware did not cast a vote

**APPROVED**

42. **RESOLUTION AMENDING THE FY10 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$1,697,726.00 FUNDED BY FEDERAL GRANT FUNDS FROM AMERICAN RECOVERY AND REINVESTMENT ACT FROM ARRA REPAVING, PROJECT NUMBER PW01198 TO ARRA REPAVING GROUP – 1, PROJECT NUMBER PW01203. RESOLUTION ALSO APPROPRIATES \$1,697,726.00 FUNDED BY FEDERAL GRANT FUNDS IN ARRA REPAVING GROUP -1, PROJECT NUMBER PW01203 FOR A CONSTRUCTION CONTRACT WITH LEHMAN ROBERTS.**

Chairman Collins recognized the following person who spoke from the audience:  
Sarah Newstok, 1807 Galloway Ave., Memphis, TN. 38112

MOTION: Hedgepeth  
SECOND: Strickland  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,  
Morrison, Strickland and Chairman Collins  
Ware did not cast a vote

**(Councilman Flinn offered a friendly amendment to this item, without objection)**

**APPROVED**, as amended

43. **RESOLUTION AMENDING THE FY10 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$2,488,078.00 FUNDED BY FEDERAL GRANT FUNDS FROM AMERICAN RECOVERY AND REINVESTMENT ACT FROM ARRA REPAVING, PROJECT NUMBER PW01198 TO ARRA REPAVING GROUP – 4, PROJECT NUMBER PW01206. RESOLUTION ALSO APPROPRIATES \$2,488,078.00 FUNDED BY FEDERAL GRANT FUNDS IN ARRA REPAVING GROUP – 4, PROJECT NUMBER PW01206 FOR A CONSTRUCTION CONTRACT WITH LEHMAN\ ROBERTS.**

MOTION: Hedgepeth  
SECOND: Fullilove  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Morrison,  
Strickland and Chairman Collins  
Halbert and Ware did not cast a vote

**(Councilman Flinn offered a friendly amendment to this item, without objection)**

**APPROVED**, as amended

44. **RESOLUTION AMENDING THE FY2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION OF \$143,262.00 TO SCADA SYSTEMS, PROJECT NUMBER SW02082 FUNDED BY SEWER FUNDS FROM REHAB\ EXISTING SEWERS, PROJECT NUMBER SW02001. RESOLUTION ALSO APPROPRIATES \$143,262.00 FUNDED BY SEWER FUNDS FOR SCADA SYSTEMS, PROJECT NUMBER SW02082 FOR A CONTRACT WITH MISSION COMMUNICATIONS, LLC TO PURCHASE A REAL-TIME MONITORING AND CONTROL SYSTEM.**

MOTION: Hedgepeth  
SECOND: Ford  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery,  
Morrison, Strickland and Chairman Collins  
Ware did not cast a vote

**APPROVED**

45. **RESOLUTION ACCEPTING FUNDS FROM VALERO TENNESSEE REFINERY FOR LOCAL OTHER REVENUE IN THE AMOUNT OF \$500,000.00 TO FUND A SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP) FOR THE CITY OF MEMPHIS DIVISION OF PUBLIC WORKS AS PART OF A GLOBAL LEGAL SETTLEMENT BETWEEN VALERO AND THE EPA. RESOLUTION ALSO AMENDS THE FY2010 CAPITAL IMPROVEMENT BUDGET BY REPLACING THE ALLOCATION AND APPROPRIATION IN THE AMOUNT OF \$500,000.00 FROM SEWER REVENUE BONDS WITH LOCAL OTHER REVENUE FOR SOUTH PLANT EXPANSION, PROJECT NO. SW02033. RESOLUTION ALSO ALLOWS THE ORIGINAL ALLOCATION OF \$500,000.00 IN SEWER REVENUE BONDS TO REMAIN IN THE PROJECT.**

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Halbert and Ware did not cast a vote

**APPROVED**

46. **RESOLUTION ACCEPTING THE DESIGN PLAN OF THE FAIRGROUNDS PROJECT.**

MOTION: Hedgepeth

SECOND: Ford

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Strickland and Chairman Collins  
Halbert and Ware did not cast a vote

**APPROVED**

47. **RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED ONE HUNDRED SIXTY-EIGHT MILLION DOLLARS (\$168,000,000.00) PRINCIPAL AMOUNT OF CITY OF MEMPHIS, TENNESSEE GENERAL IMPROVEMENT BONDS FOR THE PURPOSE OF REFUNDING CERTAIN OUTSTANDING GENERAL IMPROVEMENT BONDS, SERIES 2010B OF THE CITY.**

MOTION: Morrison

SECOND: Boyd

AYES: Boyd, Brown, Conrad, Ford, Fullilove, Hedgepeth, Lowery, Morrison and Chairman Collins

NAYS: Flinn and Strickland  
Halbert and Ware did not cast a vote

**APPROVED**

48. **RESOLUTION AMENDING THE FY2010 CIP BUDGET BY ALLOCATING AND APPROPRIATING \$3,893,790.00 FOR CIP PROJECT NUMBER CD01085 – FAIRGROUNDS PUBLIC GREEN SPACE PROJECT, PHASE I.**

MOTION: Morrison  
SECOND: Boyd  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison  
and Chairman Collins  
NAYS: Conrad and Strickland  
Ware did not cast a vote

**(Councilman Hedgepeth offered a friendly amendment to this item, without objection)**

**APPROVED**, as amended

**(Councilwoman Fullilove made a motion to approve Same Night Minutes for Items #20, #28, #47 & #48 from tonight's Meeting)**

**(Special Item #1 – Same Night Minutes)**

MOTION: Fullilove  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison,  
Strickland and Chairman Collins  
Brown and Ware did not cast a vote

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

**Chairman Collins recognized the following people who spoke from the audience:**

Walter Broady III, 4256 Ledbetter Cove, Memphis, TN. 38109  
Charley Burch, 7657 Spirit Lake Cove, Cordova, TN. 38016  
Professor Tonya Butler, Esq., 111 S. Highland St., #325, Memphis, TN. 38111  
Jonathan Cross, 910 Goodman St., Memphis, TN. 38111  
Kurt Clayton, 154 Walnut Ridge Lane, Cordova, TN. 38018  
Warren Cole, 485 Beale, Memphis, TN. 38103

**ADJOURNED MEETING AT 7:30 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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CHAIRMAN

Attest:

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Deputy Comptroller/Council Records